

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-2 and 7-15 are pending in this application. No claim amendments are presented, thus no new matter is added.

In the outstanding Office Action, Claims 1-2 and 7-12 were rejected under 35 U.S.C. §102(b) as anticipated by Suzuki et al. (U.S. Pat. 5,699,474, herein Suzuki); and Claims 13-15 were rejected under 35 U.S.C. §103(a) as unpatentable over Suzuki in view of Mercier (U.S. Pat. 6,865,747).

In response to the rejection of Claims 1-2 and 7-12 under 35 U.S.C. §102(b) as anticipated by Suzuki, Applicants respectfully traverse this rejection as independent Claims 1, 7-8 and 12 recite novel features clearly not taught or rendered obvious by the applied reference.

Independent Claim 1 relates to a transmitting apparatus for converting a coded bit stream into a trick play output (e.g., slow play, fast forward, fast rewind, etc.). More particularly, Claim 1 recites, in part, that the transmitting apparatus comprises:

...rewriting means for... rewriting control data that specifies an accumulation amount of a virtual input buffer of a decoder in a picture header to ***an invalid value***...

Independent Claims 7-8 and 12, while directed to alternative embodiments, recite similar features. Accordingly, the arguments presented below are applicable to each of independent Claims 1, 7-8 and 12.

As described, for example, at p. 11, l. 16-p. 12, line 4 of the specification, a value of vbv_delay (accumulation amount of a virtual input buffer of a decoder) is rewritten to an invalid value at the time of a trick play.

Turning to the applied references, Suzuki describes a method and apparatus for decoding MPEG-type data reproduced from a recording medium during a high-speed reproduction operation.

Suzuki, however, fails to reach or suggest “rewriting control data that specifies an accumulation amount of a virtual input buffer of a decoder in a picture header to *an invalid value*” as recited in independent Claim 1.

In rebutting the arguments presented regarding the above noted feature in the previously filed response, the Response to Arguments portion of the Office Action again relies on col. 14, ll. 45-50 of Suzuki, and asserts that “in the third method vbv_delay is written to read ‘3FFFFFFF’ in order to indicate a variable rate... which means that ‘3FFFFFFF’ is not a valid number” (emphasis added). More specifically, Suzuki states that “[i]n this case, vbv_delay indicates that a current rate is a variable rate.” Thus, the insertion of “3FFFFFFF” as the vbv_delay is used to “indicate that current rate is a variable rate,” and therefore is a valid value. If the value inserted into vbv_delay were invalid it would not indicate anything. This is clearly not the case in Suzuki.

The Office Action further notes that “once the vbv_delay is indicated as being variable the vbv_delay is disregarded, meaning the vbv_delay is no longer valid” (emphasis added). Therefore, the Office Action’s interpretation of Suzuki supports the notion that when vbv_delay is used to indicate a variable rate it is a valid value, and once decoding is performed the value is “disregarded.” Thus, the fact that vbv_delay is set as “3FFFFFFF” to indicate a variable rate of reproduction clearly indicates that the value in the vbv_delay field is a valid value. The fact that the vbv_delay value is disregarded at the time of decoding is irrelevant, since the value was already set as a valid value to indicate that the current rate of reproduction is variable.

Thus, Suzuki fails to teach or suggest rewriting the vbv_delay value to an *invalid value* upon performing the high-speed reproduction. More particularly, Suzuki fails to teach or suggest “rewriting control data that specifies an accumulation amount of a virtual input buffer of a decoder in a picture header to *an invalid value*” when performing trick play operations, as recited in independent Claim 1.

Accordingly, Applicants respectfully request the rejection of independent Claim 1 (and the claims that depend therefrom) under 35 U.S.C. § 102 be withdrawn. For substantially similar reasons, Applicants submit that independent Claims 7-8 and 12 (and the claims that depend therefrom) patentably define over the applied references.

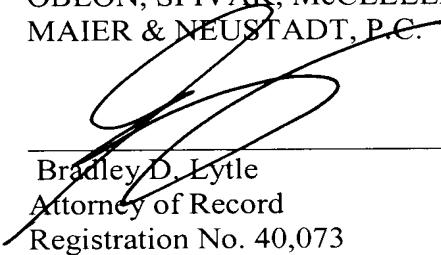
With regard to the rejection of Claims 13-15 under 35 U.S.C. §103(a) as unpatentable over Suzuki in view of Mercier, Applicants note that Claims 13-15 depend from independent Claims 1 and 7-8, respectively, and are believed to be patentable for at least the reasons discussed above. Further, Applicants respectfully submit that Mercier fails to remedy the above noted deficiency of Suzuki.

Accordingly, Applicants respectfully request that the rejection of Claims 13-15 under 35 U.S.C. §103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-2 and 7-15 patentably define over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested

Respectfully submitted,

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